

## **REMARKS**

### **Status**

This Amendment is responsive to the Final Office Action dated May 19, 2005, in which Claims 1-11 were rejected. no claims have been canceled; no claims have been amended; and no new claims have been added. Accordingly, Claims 1-11 are pending in the application, and are presented for reconsideration and allowance.

### **Claim Rejection - 35 USC 103**

Claims 1-11 stand rejected under 35 USC 103(a) as being unpatentable over US Patent No. 4,912,740 (*Liese*) in view of US Patent No. 5,550,383 (*Haskell*). This rejection is respectfully traversed.

Even if, for argument purposes only, the cited references are combined as suggested by the Examiner, the present invention as claimed in independent Claims 1 and 7 would not result.

During radiation therapy, high doses of radiation are directed toward cancerous tissue. *Haskell* is directed to a healthy tissue shielding device during radiation therapy. That is, *Haskell's* device is intended for protecting healthy tissue during radiation therapy such that the healthy tissue is not exposed to radiation. Thus, *Haskell* is a radiation protection tool.

In contrast, the intraoral film packet of the present invention is used for capturing an x-ray of the intraoral area of interest. More particularly, with the intraoral x-ray film packet of the present invention, the intraoral area of interest is exposed to radiation so as to capture an x-ray image. The shielding sheet of the intraoral film packet is employed to reduce scattered radiation, i.e., to filter scattered radiation so as to obtain an enhanced image of the intraoral area of interest. If *Haskell's* device was employed with the intraoral x-ray film packet, then no x-ray image would be obtained since the intraoral area of interest would be shielded/protected from exposure.

Further, *Haskell* does not teach a sheet comprised substantially of tin. Rather, *Haskell* teaches a mold made from metal particles dispersed in a thermoplastic matrix material. Refer to *Haskell's* Col 5, lines 63-67 which states

that the invention “involves directly manually molding a metal-filled thermoplastic compound of specific manufactured radioresistance while in a plastic flow state, which become a solid after cooling to human body temperatures”. As such, *Haskell* does not teach a sheet, nor does *Haskell* teach a sheet comprised substantially of tin.

The present invention’s sheet provides for a homogenous material for uniformly reducing scattered radiation. In contrast, *Haskell*’s metal/plastic mold is non-uniform. If *Haskell*’s metal/plastic mold is employed as suggested by the Office Action, the intraoral packet of the present invention may be inoperative since the metal/plastic material could cause more scattered radiation which could be detrimental to the x-ray image quality.

For the reasons set forth above, independent Claims 1 and 7 are believed to be patentable over the cited references.

Claims 2-6 and 8-11 are dependent on Claims 1 or 7, and therefore includes all the features thereof. For the reasons set forth above with regard to Claims 1 and 7, Claims 2-6 and 8-11 are also believed to be patentable.

In addition, with specific regard to Claims 2-3 and 9-10, neither of the cited references make obvious at least 99.95 percent tin for the sheet since *Liese* does not teach tin and *Haskell* does not teach a mold comprised substantially of one material. Thus, even if combined, the present invention would not result.

As to Claims 4 and 11, the claimed thicknesses would not be obvious since to employ tin for *Haskell*’s purpose of protecting healthy tissue would require much larger thicknesses because of the high radiation doses applied during radiation therapy.

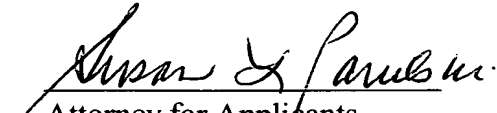
## **Summary**

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,

  
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